

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

FRANK C. THERRELL and MARIE C. THERRELL

PLAINTIFFS

V.

CIVIL ACTION NO.1:06CV151 LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

MEMORANDUM OPINION and ORDER

The Court has before it the emergency motion [146] of Defendant State Farm Fire and Casualty Company (State Farm) To Compel Return of Inadvertent Production. This motion seeks an order directed to defense counsel to return a disk (CAT PL Disk) containing documents sought during the discovery process. The disk was produced in obedience to an order of the United State Magistrate Judge. On appeal of that order, I affirmed the decision that the disk must be produced. State Farm is asking that the disk be returned pending a decision on the motion to reconsider my decision affirming the ruling made by the United States Magistrate Judge. I have now decided the merits of the motion to reconsider by affirming my own prior decision.

Accordingly, it is

ORDERED

That the emergency motion [146] of State Farm Fire and Casualty Company To Compel Return of Inadvertent Production is hereby **DENIED** as moot.

SO ORDERED this 23rd day of July, 2007.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE